

### REMARKS

The Office Action of 04/23/2004 has been carefully considered. Reconsideration in view of the foregoing amendments and the present Remarks is respectfully requested.

All of the claims were objected to and/or rejected for various informalities. These are addressed by the present amendment. Claims 2 and 4 have been cancelled.


Claims 1, 2, 5, 8-11, and 14-18 were rejected as being anticipated by Arkin. The remaining claims were rejected as being unpatentable over Arkin in view of D'Souza. The claims have been amended to more clearly distinguish over the cited references. Reconsideration is respectfully requested.

As made clear in the claims as originally filed, 1. the integrated circuit used to test the device-under-test is programmable; in addition, the claims have been amended to make clear that: 2. the programmable integrated circuit during operation is vertically aligned with the device-under-test. Such vertical alignment makes the "immediate proximity" (claim 1), "direct contact" (claim 11) and "direct communication" (claim 17) recited in the claims possible.

The cited references do not teach or suggest such a test system. In the case of Arkin, as noted by the Examiner, test signals are routed from the test module through a test head that achieves actual contact to the device-under-test. Vertical alignment of the microcontroller of the test module, for example, and the device-under-test is not a requirement. Likewise, in the case of D'Souza, the integrated circuits 506 in the cover figure are not vertically aligned with the device-under-test located within the opening 504.

Accordingly, claims 1, 11 and 17 are believed to patentably define over the cited references. Claims 3, 5-10, 12-16 and 18 are also believed to add novel and patentable subject matter to their respective independent claims. Withdrawal of the rejection and allowance of claims 1, 3, and 5-18 is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael J. Ure", is written over a horizontal line.

Michael J. Ure, Reg. 33,089

Dated: May 17, 2004